

MEMO ENDORSED

Sup 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
**PATRICIA DRAYTON, DARWIN DAVID RHODES,
VALERIE KIRK, CLYDE CONES, ANGELA
STALLINGS, LAI-QUANA UTLEY, IDA JACKSON,
ERICA MILLER, TERESA BRANCH, LINDA LOVING,
PATRICIA WEAVER, MARGARET HIGH and
DENISE SCOTT**, for themselves and on behalf
of all similarly situated African Americans who
shopped at Toy 'R' Us stores since 2004, or
who will shop at said Toy 'Roy' Us stores,

**CASE NO.
07-CV-06315
(RMB) (JCF)**

PLAINTIFFS,

-against-

**TOYS "R" US INC, TOYS "R" US-NY, LLC, TOYS
"R" US-OHIO, INC., JOHN DOE #s1-5**, being
individual managerial staff of Toys "R" Us Store No.
8930, **METRO ONE LOSS PREVENTION GROUP
(GUARD DIVISION NY), INC. ("METRO ONE"),
ROCKY ETIENNE**, individually, and in his official
capacity as an employee of **METRO ONE; MARK
MCMAHON**, individually, and in his official
capacity as an employee of **METRO ONE;
"JOE SHERIFF"**, real name unknown, the person
intended being a Sheriff's Deputy of the Hamilton
County Sheriff's Department, Cincinnati, Ohio,
who accosted Darwin David Rhodes at a
Toy "R" Us store on or about January 25, 2006,
"**P.O. TODD**", real name unknown, the person
intended being a police officer of the City of
Cincinnati, Ohio, who arrested Darwin David Rhodes in
or about April 2006 for alleged theft at a Toy "R" Us
store on January 25, 2006, **CITY OF CINCINNATI**,
and Defendant "**Does 1 to 100**", real names unknown, those
intended being security guards at various Toys "R" US
Stores mentioned herein.

DEFENDANTS,

-----X
STIPULATION OF VOLUNTARY DISMISSAL

| |
|--|
| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3-31-08 |
|--|

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, the undersigned, counsel for all parties, stipulate and agree that, with the filing of the Amended Complaint, on February 7, 2008, the above-captioned action has been voluntarily dismissed by plaintiffs against Vic DeBlassi, Rich Fernandez, Jose Nieves, George Aponte, and Bernard Ricketson [the "Dismissed" Individuals"]. By separate stipulation, the parties agree to the amendment of the caption, removing the names of the Dismissed Individuals.

K.C. Okoli

By: 

K.C. Okoli

Attorney for Plaintiffs
330 Seventh Avenue-15th Floor
New York, New York 10001

Ledy Gurren Bass & Siff, LLP

By: 

Nancy Ledy-Gurren (2186)

Attorneys for Toys "R" US, DeBlassi,
Fernandez, Nieves, and Aponte
475 Park Avenue South
New York, New York 10016

Lester Schwab Katz & Dwyer

By: 

Thomas Catalano

Attorneys for Metro One, Etienne,
~~and Ricketson~~
120 Broadway
New York, New York 10271

*The Court is not ruling upon
the propriety of any amendment.*

SO ORDERED:

RM3

U.S.D.J.

3/31/08

Richard M. Bereman